

**HAMILTON COUNTY BOARD OF COMMISSIONERS  
SEPTEMBER 9, 2003**

The Hamilton County Board of Commissioners met on Tuesday, September 9, 2003 at the Hamilton County Highway Department, 1700 S. 10th Street, Noblesville, Indiana. President Holt called the meeting to order at 7:30 am and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt.

**Highway Issues**

**2004 COIT Request:**

Mr. Brad Davis reviewed the 2004 COIT request for the Highway Department. We are funded in 2004 for bond payments, signal maintenance and modifications, maintenance 4000 series needs, small structure replacement, and resurface programs. We have some monies left from the 1997 and 1998 Bond issues and they would like direction from the Commissioners to proceed in expending those funds for the 146th Street Extension. Mr. Jim Neal stated what is left in the lease fund is going to be used to reimburse the 1998 Bond Issue. The 1998 Bond is not directly tied to any one location, we can use it anywhere. The Lease Funds are directly tied to 146th Street. Mr. Neal believes there are enough funds available to fund Preliminary Engineering for all three phases of the 146th Street extension.

**Washington D.C. Consultant:**

Altman stated there is an appropriation in the 2003 budget to continue with the Washington D.C. consultant probably for the remainder of 2003 and most of 2004. There is no money in the 2004 budget for the consultant. There is a little money for travel, but we will have to decide who will write the requests and make sure they get in to the federal highway system. If we are not happy with this consultant, do we want to look at another consultant? Holt asked how much is it? Ms. Mills stated \$70,000. Altman stated Fishers has dropped out, but Noblesville is still in. Right now the appropriation is there and we could hire someone for 2003 and part of 2004. She believes it is important to have someone there. Dillinger stated he is not satisfied with the consultant and does not believe they are effective. Dillinger asked what has she done for us? Altman stated she has put together the request, gotten us in to see people and tried to push it along. Dillinger stated that is nothing we can't do through Dan Burton's office. Holt stated we have the history of the light rail issue and that firm has done well by us on that issue. Discussion followed. Holt motioned to authorize Chris to re-negotiate the contract for the balance of 2003 and as much of 2004 as we can afford. Altman and Holt approved. Dillinger opposed. Motion carries.

**146th Street Funding:**

Consensus of the Commissioners is to take the remainder of the lease and bond money to proceed with Preliminary Engineering for 146th Street Extension.

Holt asked if there is any 2003 money that is not going to be spent? Mr. Joel Thurman stated currently there is funding in place for four (4) intersection improvements. Two of the four intersections have been bid. The other two intersections funded for this year are on Springmill Road at 106th Street and 116th Street, they will not be bid this year. We are currently in the right

of way acquisition phase. Altman asked if the completion of Towne Road at 96th Street is low on the priority list? Mr. Thurman stated yes, it is in final design. We have two parcels to acquire. It is not funded this year or in 2004. Altman asked what are the construction costs for that project? Mr. Thurman stated it is approximately \$600,000 construction costs. Altman asked where are we at 116th Street and Springmill and the new Clarian Hospital? Mr. Thurman stated he understands Carmel Planning approved it pending a TIF agreement with the Carmel Redevelopment Commission. The redevelopment commission tabled it. The Carmel City Council has rezoned it. They feel confident that the redevelopment commission will approve the TIF. Dirt will start being moved next week. Carmel would like an interlocal agreement with Hamilton County to take over the jurisdiction of 116th Street. Carmel believes the county will build the 116th Street intersection with our design, which is a one lane roundabout and they can update it as needed. They think it will be at least 5 years before the update is needed. Holt asked where does the Valinet strip stand? Mr. Thurman stated it is still needed. Mr. Howard has had those for a while and he is not sure of the status. Holt asked Mr. Thurman to get the status from Mike and e-mail the Commissioners with that information.

Holt, Dillinger and Altman concurred to stay the course in 2003.

#### **Consultant Selection:**

Mr. Davis stated they have met with Commissioner Altman regarding the selection of consultants. Mr. Neal reviewed his memo dated September 8, 2003. Altman stated as long as the consultants do not have to invest a lot of time they should give an idea of how many man-hours will be invested in doing the project. The costs start to escalate with the Senior and Junior hours during the design. It is silly to select a consultant without looking at costs and quality and that is the blend she would like to achieve. Altman stated she believes we will save a significant amount of money by handling inspections in-house. Holt stated on resurface contracts and small structures we used to use in-house inspectors and it was a great relief to leave that system and to hold a company responsible for the inspections. Altman stated if we can't trust our own staff, whom can we trust? Holt stated it was not a matter of trust, but a matter of competency. Altman stated they would go through a training process and we would want them to be certified. She has been watching these contracts and they are significant and they are large dollars. Mr. Neal stated if we did create that position we would hire someone with quite a bit of experience and could handle the resurface and small structures. Subdivision inspections would be cycleable. Altman stated the concern is not with subdivisions as in-house or out of house, they are fully funded by the developer. Altman stated her concern is that we have a variance of rates in consulting firms that do that work and if you are the developer pulling the money out of your pocket, she does not think that is equitable. Her preference would be to set a county rate for inspection and who ever want to participate may participate at that rate. That is what she believed we were doing with United Consulting in setting a county rate for different rate for different level of engineers. Mr. Neal presented a memo prepared by Steve Broermann, regarding the current subdivision inspection engineering firms and rates. Discussion of the memo followed. Altman stated the concept is that we establish a reasonable rate to do subdivision inspections and if they want to come in to the system that is what is paid. This is how they test the county and this is how we test them. Mr. Davis asked how should we proceed? Holt stated he has never had a developer complain to him about our inspection system. Altman stated she will call some of the developers and see what their opinions are. Dillinger stated we have discussed this several times over the

years, trying to find what is equitable. We are getting good jobs done, by good quality firms at a good price.

### **Design Firm Selection:**

Mr. Davis stated the highway department's thought on design firm selection is that as we give the Commissioners the short list of three firms, we might also provide brief information on the past history of those firms. We could give percentages that would indicate the effectiveness or how cost efficient the firm is with their design. The design fee is a percentage of the final cost to give an indicator of how effective that design firm might be. Dillinger asked how the State handles this? Mr. Davis stated they do an RFP, make a selection and fees are negotiated. Hamilton County does the same thing, we give you more information on your selection. Altman stated we are in an era that we look at quality and overall pricing. We are being presented with three firms and we should ask what it is going to cost, we are not serving the taxpayers if we do not ask. Dillinger stated they are negotiating the costs to what is customary and reasonable for that particular project. Altman asked how do you know if you are using the same standard every time? Altman asked what is the problem reducing down to three firms and saying give us what you are going to charge on the project? Dillinger stated they do negotiate. Altman stated there is no negotiation if you are talking to the same guy. You will not know what of the three firms the most efficient cost is going to be for those three qualified firms, if you don't ask those firms. We are not doing that now and it is not appropriate. Dillinger stated the State and the Feds don't do it and you think we are smarter than they are? Altman stated she thinks we could be more cost efficient and smarter. Mr. Davis stated one of the ideas was a one page RFP that they would add their estimate of their costs. Dillinger stated he does not support it. Holt asked if there would be merit in talking to eight to ten firms that we use and asking them for their feedback, if it would be helpful to us. Altman asked what is so scary about including costs in the selection of a profession? The bidding process is saying we are determining solely on costs and that is not what we are discussing, we are discussing bidding on quality of work and costs. We are not bound by bidding laws to take the lowest responsive bidder. Holt stated we are not putting people on the short list, when we get the three choices we know all three of them can do the job. At that point we are bidding costs because at that point we have gotten over the quality hurdle. Altman stated why would we be opposed, if we are using taxpayers dollars to get the lowest costs for that project so we can do more projects and charge less in taxes. Holt stated we do negotiate the fee before we sign a contract and invariably the highway engineers ask if that is a fair fee or not. Altman stated she does not understand why, conceptually, we have a problem unless we are either not making an informed decision or cherry picking. Holt stated when we buy a load of aggregate, it is what it is. When we hire a contractor to lay that asphalt we hire an inspector to make sure it is done right. When we hire a professional we do not hire an inspector to make sure it is done right, we presume we are getting a professional job. When we start bidding it you get what you pay for. Holt stated we would be doing our taxpayers a huge disservice and the idea of having subdivisions inspected on a philosophy of pro-bono, if you want to come to the trough you can. Altman stated you are presuming that highway will present those with three varying firms, what we are selecting on now is three qualified firms and how do we distinguish between those three firms at that point. What are the factors we use to make that decision. She is suggesting a huge factor should be what we are going to pay in taxpayer dollars to get it done.

### **Construction Inspection Consultants:**

Mr. Davis stated the process for construction inspection, other than subdivision inspections, is that we recommend firms to the Commissioners by looking at things that are not tangibles. We look at if the firm was in the design process, the expertise of their people, whether they are available to do the job at that time and what kind of work they have done for the county in the past. We propose an overall rating of the three firms on the short list on a scale and rate them on how well we feel this firm can do the construction inspection based on these factors. Altman stated if you come up with a specific recommendation and that is why you have the flexibility and it is not a bid process. That is why consulting firms and engineering firms are not a bid process. Altman stated as long as it is fair and dependent on getting the best value, then that is an appropriate system. Dollars are still a consideration. Mr. Davis stated you have a history of the firm that gives you an idea of the costs. Dillinger asked Mr. Davis if there is anything he sees that we are not doing that would improve the way we are doing it? Mr. Davis stated the way you are doing it has been proper. Dillinger asked Mr. Davis, in his opinion it is not broke? Mr. Davis stated he does not see anything that is not broken. Altman asked from a technical standpoint we are getting good work? Mr. Davis stated from his standpoint yes. Altman asked do you believe that we are more critical in our selection process in comparing efficiency in terms of billing that we could save a few dollars or perhaps get a better contract or make a better selection decision? Mr. Davis stated perhaps, we may need to negotiate part of it. Dillinger stated he sees this as a form of micro-management. We pay these people a lot of money. They know a lot more about it than we do. Altman stated they are telling us the technical aspect is our responsibility as Commissioners to make sure we are paying appropriate amounts for the design work and they are huge dollars. Dillinger stated that is the reason we have given the responsibility to these people, who know what we are paying for, to negotiate for us. Altman stated this is a hot bed in terms of having independent criteria in selection, we want to look at who is competent and who is doing it efficiently for the best dollar amount. Dillinger stated that is what they do and we have been doing that. Altman stated she is trying to come up with a way that is equitable and gives the taxpayer the best value for the best service and that is what she will continue to push for. Mr. Davis stated he understands the concern on subdivision construction inspections, he is confused on why Altman believes the other areas need to be worked on. Altman stated her point is that you can ask any taxpayer if it came down to a three person selection process and they would ask what is the cost and what is the best value? We are not serving the taxpayers if we don't ask that question. Holt stated there is merit in historical data, he does not like bidding professional services. Holt stated he is not convinced that anything is broken. Dillinger stated if it is not broken, don't fix it. Altman would like to look at it further. Mr. Davis will continue to work on this.

Holt stated consensus is to hold these meetings monthly. He asked Mr. Davis to prepare an agenda for these meetings. He would like a regular agenda item in terms of what we are doing with our in-house operations such as - how many roads are chipped and sealed, where we are on small structures, where we are on overtime. He would like an update on winter storm preparation. Mr. Davis stated the salt barn is full. We have liquid de-icer. He will be switching to a different liquid de-icer for a costs savings. He is getting costs for saddle tanks on the trucks, which will spray the de-icer on the salt as it leaves the truck. He will be meeting with Bob Davis regarding the over all scheme of the winter storm responses, regarding routes, schedules. He would like to change the shift schedule. He is not sure we have enough drivers to sustain a 24 hour shift. He has requested prices on sandblasting and painting of the equipment, they are showing signs of wear and the equipment needs to be maintained. Holt stated in the past we have

trained bus drivers to drive during storm situations. Holt suggested those drivers be contacted. Mr. Davis stated he would like to see an average of 2.3 drivers per shift, 12 hour shifts. Mr. Davis will include Bob Davis in next month's meeting. Mr. Davis stated they will be attending an LTAP Conference tomorrow and a snow operations course is offered. We will also be sending four people to Madison, Wisconsin for snow operations training.

Consensus of the Commissioners was to hold monthly meetings on the 2nd Tuesday of each month at 7:30 am. The Commissioners would like to have an agenda at least one day prior to the meeting. Next meeting - October 14th at 7:30 am

Holt adjourned the meeting at 9:00 am.

### **Present**

Christine Altman, Commissioner  
Steven C. Dillinger, Commissioner  
Steven A. Holt, Commissioner  
Robin M. Mills, Auditor  
Fred Swift, Administrative Assistant to Commissioners  
Kim Rauch, Recording Secretary  
Brad Davis, Highway Director  
Jim Neal, Highway Engineer  
Joel Thurman, Highway Project Engineer  
Diana Lamirand, Noblesville Ledger